



UNITED STATES PATENT AND TRADEMARK OFFICE

.ppln.:

Steven V. Larson

Serial No.:

09/517,974

Filed:

March 3, 2000

For:

DOOR AND FRAME FOR AIR HANDLING UNIT

Attorney Docket No.: 33097.3

Attorney:

Gerald E. Helget

Additional Fees:

Charge to Deposit Account No. 023732

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

TRANSMITTAL COVER LETTER

Enclosed for filing, please find the following:

- Petition to Make Special Because of Actual Infringement (1 page); 1.
- Statement in Support of Petition to Make Special (Infringement) 1 page); 2.
- A check in the amount of \$130.00 for the filing fee; and 3.
- 4. Postcard Receipt.

Respectfully submitted,

ANG OR Dated:

Gerald E. Helget (Reg. No. 30,9

Briggs and Morgan, P.A.

2400 IDS Center

80 South Eighth Street

Minneapolis, MN 55402

Telephone: (612) 334-8480

CERTIFICATE OF MAILING

I hereby certify that this document and the documents identified above, are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated below.

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Washington, D.C. 20231

Sir:

PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT 37 CFR § 1.102 (d) and M.P.E.P. § 708.02

Applicant hereby petitions to make this application special because of actual infringement. Accompanying this Petition is a Statement of Facts in Support of Petition to Make Special.

Attached is a check in the amount of \$130.00 which represents the filing fee. Authorization is hereby granted to charge additional fees or credit any overpayments to Deposit Account No. 02-3732.

Respectfully submitted,

Dated:

Gerald E. Helget (Reg. No. 30,948) Nelson R. Capes (Rég. No. 37,106)

Briggs and Morgan 2400 IDS Center

Minneapolis, MN 55402 Telephone: (612) 334-8480

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Washington, D.C. 20231

Sir:

STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL (INFRINGEMENT)

37 CFR § 1.102 (d)

Applicant hereby petitions the Office to make the above-referenced United States Patent Application special, as follows:

- 1. There is an infringing device or product actually on the market. In particular, an infringing product is actually being marketed by ITM4, P.O. Box 5, Buffalo, MN 55313.
- 2. A rigid comparison of the alleged infringing product with the claims of the application has been made. In the opinion of Applicant's patent counsel, Briggs & Morgan, PA, some of the claims are unquestionably infringed.
- 3. I have a good knowledge of the pertinent prior art. The references most closely related to the subject matter encompasses by the claims are already of record.

Dated:

Dale L. Hanson

Vice President

A.J. Manufacturing, Inc. (Applicant)